

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: JOSEPH YEBOAH	:	CHAPTER 13
Debtor	:	
	:	
JACK N. ZAHAROPOULOS	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
JOSEPH YEBOAH	:	
Respondent	:	CASE NO. 5-22-bk-00611

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 18th day of July, 2022, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor's plan for the following reason(s):

1. Debtor's plan violates 11 U.S.C. § 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, the debtor has excess non-exempt equity in the following:

a. Residential real estate.

2. The Trustee avers that debtor's plan is not feasible based upon the following:

- a. The plan is inconsistent with Proofs of Claims filed and/or approved by the Court. Claim by PNC for mortgage arrears is higher than amount provided for in the plan.
- b. Secured claims not in plan. Monroe County Tax Claim Bureau and Middle Smithfield Township filed claims not provided for in the plan.

3. Trustee avers that debtor's plan cannot be administered due to the lack of the following:

a. Proof of Claim for FirstService Residential.

WHEREFORE, Trustee alleges and avers that debtor's plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/Agatha R. McHale
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 18th day of July, 2022, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Paul McElrath, Jr., Esquire
1641 Saw Mill Run Blvd.
Pittsburgh, PA 15210

/s/Deborah A. Behney
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee